

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

FILED
JUN 23 2017
Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VINCENT PAUL FUREY,

Defendant.

CR 17-07-BU-DLC

ORDER

Pursuant to this Court's Order dated May 26, 2017 (Doc. 15), the Bureau of Prisons has designated Federal Detention Center, SeaTac, Washington, as the facility where Defendant Vincent Paul Furey will undergo an evaluation to determine his competency to proceed in this matter.

Accordingly, IT IS ORDERED:

1. Mr. Furey shall be committed to the facility and subjected to a psychiatric or psychological examination to be conducted in accordance with 18 U.S.C. §§ 4241(b) and 4247(b) and (c). The evaluation shall be completed by **July 9, 2017**, which will be thirty (30) days after Mr. Furey's arrival at the facility.

18 U.S.C. § 4247(b).

2. The report shall include:

- (i) Mr. Furey's history and present symptoms;
- (ii) a description of the psychiatric, psychological, and medical tests that were employed and their results;
- (iii) the examiner's findings; and
- (iv) the examiner's opinions as to diagnosis, prognosis, and;
 - (a) whether Mr. Furey is suffering from a mental disease or defect rendering his mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

3. The report shall be filed with the Court on or before **July 24, 2017**, with copies to counsel for the Defendant and the Government.

4. All time from the date of this Order until the date of the Court's determination as to Mr. Furey's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A) and (F).

5. The government is limited from using any statements that Mr. Furey may make in his competency examination as explained in *United States v. Nguyen*, 962 F.Supp. 1221 (N.D. Cal. 1997).

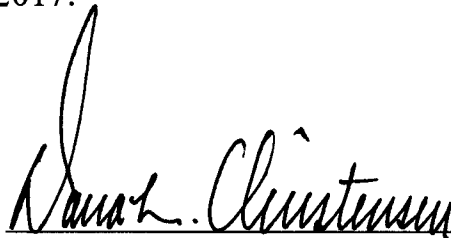
6. Upon receipt of said report and the return of Mr. Furey to this district,

the Court shall hold a hearing pursuant to 18 U.S.C. § 4241(c).

7. The United States Marshals Service shall take no more than ten (10) days to return Mr. Furey from the designated federal facility back to the District of Montana. *See* 18 U.S.C. § 3161(h)(1)(F).

8. The Clerk of Court is directed to immediately notify the parties, the United States Marshals Service, and Federal Detention Center SeaTac of the entry of this order.

DATED this 23rd day of June, 2017.

A handwritten signature in black ink, reading "Dana L. Christensen", written over a horizontal line.

Dana L. Christensen, Chief Judge
United States District Court